

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS**

**MARSHALL DIVISION**

**DATE:** April 22, 2012

**JUDGE  
MICHAEL H. SCHNEIDER**

**COURTROOM DEPUTY:** Linda Pritchard  
**COURT REPORTER:** Jan Mason

**SIMPLEAIR, INC.**

*Plaintiff,*

**v.**

**AWS CONVERGENCE  
TECHNOLOGIES, INC., et al.,**

*Defendants.*

**CIVIL ACTION NO: 2:09-CV-289-MHS**

**JURY TRIAL DEMANDED**

**DEFENDANT APPLE INC.'S EIGHTH REVISED EXHIBIT LIST**

Pursuant to the Court's Order on Motions in Limine and to Refile Exhibit Lists and Objections (Dkt. No. 505), Order on Pending Motions (Dkt. No. 507), Order of Clarification (Dkt. No. 550), Memorandum Adopting Report and Recommendation of the Special Master (Dkt. No. 565), and Order Granting Production (Dkt. No. 564), Defendant Apple Inc. ("Apple") herewith serves and files its Seventh Revised Exhibit List in the above-captioned action, including Plaintiff SimpleAir, Inc.'s ("SimpleAir") asserted objections thereto.<sup>1</sup>

Specifically, Apple has amended its exhibit list to include documents produced today in compliance with the Court's Order Granting Production (Dkt. No. 564).<sup>2</sup>

<sup>1</sup> Apple's exhibit list does not include documents that were subject to the Court's *Daubert* and *in limine* rulings without prejudice to its right to appeal these rulings and/or proffer these exhibits to the extent necessary to perfect its appeal rights.

<sup>2</sup> The documents produced by Apple today include update financial information, prior versions of which the Court has ordered sealed. *See* Dkt. No. 562.

Apple reserves the right to amend, or modify its list of trial exhibits to add additional or to remove trial exhibits in response to circumstances arising prior to, or during, trial. Apple further reserve the right to seek to admit into evidence or otherwise rely on any trial exhibit that SimpleAir identifies on its trial exhibit list to the extent it is admissible. Moreover, inclusion of an exhibit on this list is not an admission that it is admissible if offered by SimpleAir. Apple lists certain documents they intend to use for impeachment purposes only, and therefore, do not necessarily agree that such documents are admissible evidence.

ATTORNEYS FOR PLAINTIFF	ATTORNEYS FOR DEFENDANT APPLE INC.
John Jeffrey Eichmann CA State Bar No. 227472 <i>(admitted to practice in the Eastern District of Texas)</i> DOVEL & LUNER, LLP 201 Santa Monica Blvd., Suite 600 Santa Monica, CA 90401 Telephone: 310-656-7066 Facsimile: 310-657-7069 Email: jeff@dovellaw.com	Adam R. Alper State Bar No. 196834 adam.alper@kirkland.com Ryan J. Casamiquela State Bar No. 228559 ryan.casamiquela@kirkland.com KIRKLAND & ELLIS LLP 555 California Street, Floor 24 San Francisco, California 94104 Telephone: (415) 439-1400 Facsimile: (415) 439-1500
S. Calvin Capshaw State Bar No. 03783900 Elizabeth L. DeRieux State Bar No. 05770585 CAPSHAW DERIEUX LLP 114 E. Commerce Gladewater, Texas 75647 Telephone: (903) 236-9800 Facsimile: (903) 236-8787 Email: ccapshaw@capshawlaw.com	Gregory S. Arovas State Bar No. 2553782 gregory.arovas@kirkland.com KIRKLAND & ELLIS LLP Citigroup Center 153 East 53rd Street New York, New York 10022 Telephone: (212) 446-4800 Facsimile: (212) 446-4900

<b>ATTORNEYS FOR PLAINTIFF</b>	<b>ATTORNEYS FOR DEFENDANT APPLE INC.</b>
	Michael W. De Vries State Bar No. 211001 michael.devries@kirkland.com KIRKLAND & ELLIS LLP 333 South Hope Street Los Angeles, California 90071 Telephone: (213) 680-8400 Facsimile: (213) 680-8500

**PATENT INFRINGEMENT TRIAL**

<b>APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST</b>						
<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
DX-1	U.S. Patent No. 6,021,433 dated 02/01/2000	PA00002172-PA00002222		N.O. <sup>3</sup>		
DX-13	U.S. Patent No. 7,035,914 dated 04/25/2006	APPSIM00155487 - APPSIM00155537		N.O.		
DX-17	Provisional Application 60/010,651 dated 01/26/1996	S0018086-S0018125		N.O.		
DX-18	Provisional Application 60/014,341 dated 03/29/1996	SA0001431-SA0001486		N.O.		
DX-19	Provisional Application 60/014,735 dated 04/01/1996	SA0001487-SA0001556		N.O.		
DX-20	Provisional Application 60/026,471 dated 09/23/1996	SA0001557-SA0001640		N.O.		
DX-21	Provisional Application 60/030,839 dated 11/15/1996	SA0001641-SA0001668		N.O.		
DX-43	SimpleAir's Response to Defendants' Common Interrogatories (Nos. 1 & 2) and Exhibit 1 dated 7/22/2010 ( <i>Impeachment Only</i> )	N/A		N.O. (if objections are removed)		
DX-44	SimpleAir's Response to Apple's	N/A		402, 403 as		

<sup>3</sup> N.O. indicates no objection, subject to the reservations stated above.

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
	First Set of Interrogatories (Nos. 21 and 22) dated 8/16/2010 ( <i>Impeachment Only</i> )			to response to rog 22		
DX-48	Simpleair's Response to Defendants' First Set of Interrogatories (Nos. 1-8) from Simpleair Holdings, Inc. v. m-Qube, Inc. dated 08/24/2007 ( <i>Impeachment Only</i> )	N/A		402, 403 as to response to rog 3, 4, 6, 7  Remove objections		
DX-55	John Payne Deposition Exhibit 7 (News Release)	PA0005003-PA0005004		N.O.		
DX-56	John Payne Deposition Exhibit 8 (Article Entitled "RDS/RBDS")	S0002313-S0002320		802		
DX-57	John Payne Deposition Exhibit 9 (Product Announcement)	S0013047-S0013050		N.O.		
DX-58	John Payne Deposition Exhibit 10 (Press Release)	S0011263-S0011265		N.O.		
DX-59	John Payne Deposition Exhibit 11 (Press Release)	S0013063-S0013065		N.O.		
DX-60	John Payne Deposition Exhibit 12 (Mobile Internet Antenna)	S0013076-S0013079		N.O.		
DX-61	John Payne Deposition Exhibit 13 (Service Plan Guide)	S0011157-S0011164		N.O.		
DX-62	John Payne Deposition Exhibit 14 (Bankruptcy Court	APPSIM00140676 - APPSIM00140713		402, 403, 802		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
	Documentation)					
DX-63	John Payne Deposition Exhibit 15 (Debtor's Response to the Objectionf of the U.S. Trustee)	APPSIM00141195 - APPSIM00141204		402, 403, 802		
DX-64	John Payne Deposition Exhibit 16 (Voluntary Petition to the Bankruptcy Court)	S0017943-S0017993		402, 403, 802		
DX-66	John Payne Deposition Exhibit 18 (Documents Regarding Verus International Group, Limited)	S0017913-S0017923		N.O.		
DX-67	John Payne Deposition Exhibit 19 (Trustee's Final Report)	APPSIM00141640 - APPSIM00141652		402, 403, 802		
DX-70	John Payne Deposition Exhibit 22 (Asset Purchase Agreement)	S0008121-S0008167		402, 403		
DX-73	John Payne Deposition Exhibit 25 (Assignment of Payment Rights)	S0019087-S0019089		402, 403		
DX-75	John Payne Deposition Exhibit 27 (User's Guide for the NewsCatcher Version of the AirMedia Offering)	S0013269-S0013334		N.O.		
DX-76	John Payne Deposition Exhibit 28 (Press Release)	S0013031-S0013032		N.O.		
DX-77	John Payne Deposition Exhibit 30 (Plaintiff SimpleAir's Supplemental Response to	N/A		402, 403, 802 as to response 8,		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
	Defendants' Common Interrogatories 7 through 12) <i>(Impeachment Only)</i>			10, 11		
DX-82	Timothy von Kaenel Deposition Exhibit 35 (Document from AirMedia to NEC Customer)	S0013205-S0013210		N.O.		
DX-83	Timothy von Kaenel Deposition Exhibit 36 (AirMedia Press Release dated 07/28/1997)	S0013060-S0013062		N.O.		
DX-84	Timothy von Kaenel Deposition Exhibit 37 (AirMedia Press Release dated 06/03/1996)	S0011274-S0011275		N.O.		
DX-86	Timothy von Kaenel Deposition Exhibit 39 (News Article from the Orange County Business Journal dated 02/12/1996)	S0012169		N.O.		
DX-87	Timothy von Kaenel Deposition Exhibit 40 (SimpleAir's Response to Defendants' Second Set of Common Interrogatories 3 through 12 dated 08/16/2010) <i>(Impeachment Only)</i>	N/A		403 as to other defendants, response to 4 (bench issue), response to 5 (408 ), responses and objections		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
				to 7-12  Remove objections		
DX-102	Seenu Srinivasan Deposition Exhibit 1 (Report of V. "Seenu" Srinivasan, Ph.D. Submitted by Plaintiff SimpleAir as to Defendants Apple and RIM-Confidential dated 10/07/2011) ( <i>Impeachment only</i> )	N/A		N.O.		
DX-103	Seenu Srinivasan Deposition Exhibit 2 (Srinivasan, V.; Netzer, O, "Adaptive Self-Explication of Multiattribute Preferences," Journal of Marketing Research Vol. XLVIII pp. 140-156)	N/A		N.O.		
DX-104	Seenu Srinivasan Deposition Exhibit 3 (Ofek, Elie; Srinivasan, V., "How Much Does the Market Value an Improvement in a Product Attribute?" Marketing Science, Vol. 21, No. 4, Fall 2002, pp.398-411)	N/A		N.O.		



**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
DX-105	Seenu Srinivasan Deposition Exhibit 4 (Underlying Data to Expert Report of V. "Seenu" Srinivasan, Ph.D., ASEMAP Software Example dated 10/07/2011 - Confidential) ( <i>Impeachment only</i> )	N/A		N.O.		
DX-113	Seenu Srinivasan Deposition Exhibit 12 (Underlying Data to Expert Report of V. "Seenu" Srinivasa, Ph.D., Smartphone Data Dictionaries dated 10/07/2011) ( <i>Impeachment only</i> )	N/A		N.O.		
DX-114	Seenu Srinivasan Deposition Exhibit 13 (Underlying Data to Expert Report of V. "Seenu" Srinivasa, Ph.D., Smartphone Data Sets dated 10/07/2011) ( <i>Impeachment only</i> )	N/A		N.O.		
DX-115	Robert Mills Deposition Exhibit 1 (Expert Report of Robert Mills Regarding Defendant Apple Inc.) ( <i>Impeachment only</i> )	N/A		N.O.		
DX-116	Robert Mills Deposition Exhibit 2 (Supplemental Expert Report of Robert Mills Regarding Defendant Apple Inc.)	N/A		N.O.		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
	<i>(Impeachment only)</i>					
DX-121	James Knox Deposition Exhibit 1 (U.S. Patent No. 7,035,914 B1)	N/A		N.O.		
DX-123	James Knox Dep. Ex. 3 (Expert Report of James M. Knox Ph.D. re '914 and '433 Submitted by SimpleAir as to Defendant Apple) <i>(Impeachment only)</i>	N/A		N.O.		
DX-124	James Knox Dep. Ex. 4 (Supplemental Expert Report of James M. Knox, Ph.D. re '614 and '426 Submitted by SimpleAir as to Defendant Apple) <i>(Impeachment only)</i>	N/A		N.O.		
DX-125	James Knox Dep. Ex. 5 (Rebuttal Expert Report of James M. Knox, Ph.D. re validity of '914, '433, '614, '426 Submitted by SimpleAir) <i>(Impeachment only)</i>	N/A		N.O.		
DX-126	James Knox Deposition Exhibit 6 (Declaration of James Knox, Ph.D. (submitted by SimpleAir in support of its opening claim construction brief) <i>(Impeachment only)</i>	N/A				

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
DX-127	James Knox Deposition Exhibit 7 (Blow-up of Finger Tips iPhone Quick Start Guide)	APPSIM00019641		N.O.		
DX-128	James Knox Deposition Exhibit 8 (Business Wire announcement re SkyTel)	N/A		802		
DX-129	James Knox Deposition Exhibit 9 (RDS/RBDS, A Summary of Data Broadcasting Technologies and Potential Applications in Today's Market)	S2313-S2320		802		
DX-130	James Knox Deposition Exhibit 10 (iPad User Guide)	APPSIM00157302 - APPSIM00157499		N.O.		
DX-132	James Knox Deposition Exhibit 12 (U.S. Patent No. 6,735,614 B1)	N/A		N.O.		
DX-134	James Knox Deposition Exhibit 14 (U.S. Patent No. 76,735,614 B1 with witness interlineations)	N/A		802 as to interlineations		
DX-135	James Knox Deposition Exhibit 15 (Apple Game Center: Social Gaming on iPod touch, iPhone, and iPad ( <a href="http://www.apple.com/game-center">http://www.apple.com/game-center</a> ))	APPSIM00145837 - APPSIM00145839		N.O.		
DX-136	James Knox Deposition Exhibit 16 (Local and Push Notification	APPSIM00000281 - APPSIM00000328		802 as to interlineati		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
	Programming Guide) (with handwritten annotations)			on		
DX-137	James Knox Deposition Exhibit 17 (Stirling Design Specification)	APPSIM00001557 - APPSIM00001587		N.O.		
DX-585	William Hays Disclosure Attachment 4 ("MTel announces one million units in service worldwide," Press Release dated 11/28/1995)	HAYS00003299- HAYS00003300		802		
DX-586	William Hays Disclosure Attachment 5 (SkyTel Milestones)	HAYS00000932- HAYS00000933		802		
DX-587	William Hays Disclosure Attachment 6 ("Skytel Supports Wireless Capability of Apple Computer's 'Newton'," PR Newswire, dated 05/29/1992)	N/A		802		
DX-594	William Hays Disclosure Attachment 13 (Collection of Press Releases from the mid-1990s)	N/A		802		
DX-596	William Hays Disclosure Attachment 15 (U.S. Patent Application No. 08/215,817 dated 03/30/1994)	N/A		N.O.		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
DX-597	06/20/1994-Apple Computer Launches eWorld, Its New Online Community, PR Newswire	PA00005196-PA00005197		802		
DX-598	09/19/1994 - "Skytel Announces SkyCard; Intelligent Wireless Message Management for Mobile Computing," Business Wire	APPSIM00159339 - APPSIM00159341		802		
DX-655	00/00/1994-"Apple Mobile Message System: The Wireless Messaging Solution for Mobile Professionals,"	PA00005199-PA00005204		802		
DX-659	05/27/2010 Local and Push Notification Programming Guide	APPSIM00000281- APPSIM00000328		N.O.		
DX-678	09/28/1994-"AT&T Introduces AT&T PersonaLink [SM] Services, Available Today on Sony Magic Link [SM] Personal Communicator," Business Wire	PA00005242-PA00005243		802		
DX-680	09/00/1995-Beckman, Mel, "Apple Mobile Message System," Macworld, September, 1995.	PA00005198		802		
DX-697	09/28/1995 European Patent No.	APPSIM00159459 -		N.O.		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
	WO 95/26113	APPSIM00159494				
DX-703	04/26/1994-"FLEX Flexible High Speed Paging Protocol,"	PA00007155-PA00007170		402, 403, 802		
DX-708	01/00/1995-Gareiss, Robin, "A Value-Added Service with Brains," Data Communications, January 1995.	PA00015309-PA00015311		802		
DX-713	01/30/1995-Houston, Gerald, Socket introduces PageCard Wireless Messaging System for Windows, Business Wire	PA00013965-PA00013967		802		
DX-724	09/00/1981-"Internet Protocol DARPA Internet Program Protocol Specification," Information Sciences Institute Univ. of Southern California	PA00008806-PA00008854		N.O.		
DX-734	00/00/1994-"Magic Link User's Guide PIC-1000," Sony	PA00014711-PA00014813		802		
DX-735	06/00/1994-"MagicLink PIC-1000 Personal Intelligent Communicator Peripherals," Sony Corp., June 1994.	PA00009111-PA00009118		802		
DX-736	00/00/1995-"Mail Forwarding Agent for Microsoft Mail," Socket Communications, Inc.	PA00009119-PA00009120		802		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
DX-739	01/03/1995-Menefee, Craig, "Apple Offers Wireless Mobile Message System," Newsbytes	PA00005213		802		
DX-746	12/26/1994-Moeller, Michael, "Apple Wireless- Messaging Bundle Targets PowerBooks," PCWEEK, Vol. 11, No. 15, 12/26/1994-01/02/1995	PA00005214-PA00005218		802		
DX-760	"PageCard Wireless Messaging System for Mobile Professionals," Socket Communications Inc.	PA00012320-PA00012323		802		
DX-763	07/31/1995-"PageNet Boosts Network Speed, Efficiency with Deployment of FLEX Pagers on Nationwide and Local Systems," Business Wire	PA00012354-PA00012355		802		
DX-777	10/00/1994-Reinhardt, Andy, "The Network with Smarts," Byte	PA00013215-PA00013225		802		
DX-785	00/00/1995-"Seattle ready for paging upgrade; SkyTel proves Motorola's new FLEX™ paging format in tough-terrain Seattle; channel capacity to more than double," Business Wire	PA00013649-PA00013650		802		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
DX-788	11/00/1995-Seybold, Andrew M. "SkyTel Turns on 2-Way, PDA Developers,"	PA00012426-PA00012479		802		
DX-791	00/00/1994-"SkyTel announces availability of wireless messaging for Sony Magic Link personal communicatorsl Skytel announces agreement with Sony," Business Wire	PA00013910-PA00013911		802		
DX-792	00/00/1994-SkyTel Go Wireless, SkyTel Corp., 1994.	PA00013926-PA00013931		802		
DX-794	09/29/1994-"Sony's New Magic Link Personal Communicator," Newsbytes News Network	PA00014026-PA00014027		802		
DX-800	09/24/1993-"Telocator Alphanumeric Protocol v. 1.3," The Personal Communications Industry Association	PA00014029-PA00014042		802		
DX-803	05/09/1985-U.S. Patent No. 4,656,318	APPSIM00157117 - APPSIM00157125		802		
DX-805	07/05/1994-U.S. Patent No. 5,327,486	PA000000740-PA000000751		N.O.		
DX-811	09/02/1997-U.S. Patent No. 5,663,717	PA000003286-PA000003306		802		
DX-815	05/18/1999-U.S. Patent No. 5,905,865	PA000001934-PA000002172		402, 403, 802		



**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
DX-843	07-06-1995-Apple Mobile Messaging System: Description (7/95)Apple Inc.	PA00005205-PA00005209		802		
DX-874	Source code excerpt (PCPersistentInterfaceManager.m)	APPSIM_SCPO_00000622 - APPSIM_SCPO_00000626		N.O.		
DX-886	09/11/2009-Bleau, Darryl, "Stirling Maintenance Documentation"	APPSIM00021748 - APPSIM00021762		N.O.		
DX-894	02/06/2009-SW Qualification Plan: Stirling 1.0	APPSIM00083278 - APPSIM00083289		N.O.		
DX-899	Apple Push Notification Presentation	APPSIM00109932 - APPSIM00109963		N.O.		
DX-901	iPhone Block Diagram	APPSIM00123974		N.O.		
DX-905	Apple Technical Schematics 04/16/2010-N90 SINGLE_BRD PVT	APPSIM00124116 - APPSIM00124144		N.O.		
DX-909	03/06/2009-"AT&T Device Requirements (Document Number 13340, Revision 3.6)," AT&T Intellectual Property	APPSIM00128831 - APPSIM00130138		N.O.		
DX-914	11/15/2010-Game Kit Framework Reference	APPSIM00133103 - APPSIM00133268		N.O.		
DX-915	10/25/2010-Game Kit Programming Guide	APPSIM00133269 - APPSIM00133352		N.O.		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
DX-918	Thunderdome Architecture	APPSIM00133664		N.O.		
DX-923	Push Battery Life: Analysis and Optimization	APPSIM00138848 - APPSIM00138863		N.O.		
DX-924	Worldwide Usage Data	APPSIM00138865		N.O.		
DX-925	00/00/2011-Apple WWDC 2011 Keynote Address Video	APPSIM00138868		N.O.		
DX-926	07/16/2009-License Agreement with Helferich Patent Licensing, LLC	APPSIM00138954 - APPSIM00138976		402, 403, 408		
DX-928	iTS Server Environment	APPSIM00139759 - APPSIM00139760		402, 403		
DX-933	11/11/2010-Clarke, Josie, "Apple Wins 'Best Gadget' Award for iPad"	APPSIM00141854		402, 403, 802		
DX-935	00/00/2011-"Apple Wins Give 2011 Mobility Awards," MacTech	APPSIM00141858		402, 403, 802		
DX-936	05/16/2008-Sweney, Mark, "Apple Wins Two Design Awards"	APPSIM00141866 - APPSIM00141867		402, 403, 802		
DX-942	10/13/2011-iOS: Using Game Center	APPSIM00145842 - APPSIM00145844		N.O.		
DX-996	00/00/2010-iPhone User Guide	APPSIM00150567 - APPSIM00150810		N.O.		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
DX-1000	02/00/1995-"User's Guide for Manual Operation: How to use your PageCard as a standalone alphanumeric pager," PageCard Wireless Messaging System, Socket Communications [PA0000875-PA0000904]	PA0000875-PA0000904		802		
DX-1001	00/00/1996-AirMediaLive! User's Guide Version 1.0	S11165-S11249		N.O.		
DX-1002	00/00/1997-AirMedia E-Mail Alert Partners	S12968-S12978		N.O.		
DX-1003	10/28/1997-AirMedia Press Release	S12991-S12993		N.O.		
DX-1004	09/10/1997-Airmedia Press Release: AirMedia's Mobile Internet Antenna is First Push Solution for Mobile Computing Market"	S13006-S13008				
DX-1005	11/18/1996-AirMedia Press Release	S13042-S13046		N.O.		
DX-1017	iAnywhere: Understanding and Troubleshooting Pylon Anywhere Push and Alerts	S6703-S6717		802		

### APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST

EX #	DESCRIPTION	BATES RANGE	Off	Obj	Adm	WITNESS TESTIFYING
DX-1033	04/25/1995-U.S. Patent No. 5,410,543	APPSIM00157162 - APPSIM00157169		402, 403, 802		
DX-1040	09/00/2000-Adam, John. "Internet Everywhere, MIT's Technology Review" at 88	APPSIM00156301 - APPSIM00156312		402, 403, 802		
DX-1045	12/01/1998-U.S. Patent No. 5,845,282	APPSIM00157224 - APPSIM00157244		402, 403, 802		
DX-1046	12/10/1996-U.S. Patent No. 5,583,993	APPSIM00157207 - APPSIM00157223		402, 403, 802		
DX-1047	09/24/2011 – Game Invites Spreadsheet	APPSIM00149225		N.O.		
DX-1060	00/00/2010-iPhone User Guide for iOS 4.2 Software	APPSIM00150811 - APPSIM00151078		N.O.		
DX-1064	01/24/2011-SimpleAir's Response to Apple's Second Set of Interrogatories (23 & 24) <i>(Impeachment Only)</i>	N/A		402, 403, 408		
DX-1065	09/23/2011-SimpleAir's Second Supplemental Response to Common Interrogatory 9 <i>(Impeachment Only)</i>	N/A		N.O.		
DX-	09/23/2011-SimpleAir's	N/A		N.O.		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
1066	Supplemental Response to Common Interrogatory 1 ( <i>Impeachment Only</i> )					
DX-1067	10/08/2011-SimpleAir's Supplemental Response to Defendants' Common Interrogatory 3 ( <i>Impeachment Only</i> )	N/A		N.O.		
DX-1072	07/22/2010-SimpleAir's Response to Defendants' First Set of Common Interrogatories (Nos. 1 & 2) ( <i>Impeachment Only</i> )	N/A		402, 403, 802 as to response no. 2		
DX-1090	04/22/2010-UIKit Framework Reference, Apple,	APPSIM00000395 - APPSIM00001476		N.O.		
DX-1104	Marcellino, Chris. "Apple Push Notification Service: Wireless Notifications for Apps Session 118 (UIKit API and Best Practices)	APPSIM00078524 - APPSIM00078570		N.O.		
DX-1131	Video of Testing	APPSIM00157647		N.O.		
DX-1134	Steven Shugan Expert Report Exhibit 1a (Respondents with an Unrealistic Battery Preference	N/A		403, 802		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
	"All iPhone Users Sample" [N=134]-Confidential)					
DX-1135	Steven Shugan Expert Report Exhibit 1b (Respondents with an Unrealistic Battery Preference "All BlackBerry Users Sample" [N=166]-Confidential)	N/A		403, 802		
DX-1136	Steven Shugan Expert Report Exhibit 1c (Respondents with an Unrealistic Battery Preference "Srinivasan All Users Sample" [N=332]-Confidential)	N/A		403, 802		
DX-1137	Steven Shugan Expert Report Exhibit 1d (Respondents with an Unrealistic Battery Preference "Main Sample" [N=580]- Confidential)	N/A		403, 802		
DX-1146	Steven Shugan Expert Report Exhibit 5 (Respondents Preferring Less Frequent or No Notifications "Srinivasan All Users Sample" [N=332]- Confidential)	N/A		403, 802		
DX-1147	Steven Shugan Expert Report Exhibit 6 (Respondents Preferring Less Frequent or No Notifications "Main Sample"	N/A		403, 802		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
	[N=580]-Confidential)					
DX-1258	12/23/2011 Expert Report of M. Ray Perryman, P.h.D.	N/A		403, 802		
DX-1351	10/13/2008-Smith, Stevie. "Resurgent iPod Honoured as 'Gadget of the Year' at T3 Awards," The Tech Herald <a href="http://www.thetechherald.com/article.php/200842/2230/Resurgent-iPod-honoured-as-Gadget-of-the-Year-at-T3-Awards">http://www.thetechherald.com/article.php/200842/2230/Resurgent-iPod-honoured-as-Gadget-of-the-Year-at-T3-Awards</a>	APPSIM00154685 - APPSIM00154688		402, 403, 802		
DX-1379	03/00/2008-Berka, Justin. "Apple Wins Eight Product Design Awards at CeBIT," ars technica, <a href="http://arstechnica.com/apple/news/2008/03/apple-wins-eight-product-design-awards-at-cebit.ars">http://arstechnica.com/apple/news/2008/03/apple-wins-eight-product-design-awards-at-cebit.ars</a>	APPSIM00153105 - APPSIM00153017		402, 403, 802		
DX-1436	03/04/2009-Truta, Filip. "Apple's iPods, iPhone 3G, MBA Nab Four iF Design Gold Awards," Softpedia, <a href="http://news.softpedia.com/news/Apple-039-s-iPods-iPhone-3G-MBA-Nab-Four-IF-Design-">http://news.softpedia.com/news/Apple-039-s-iPods-iPhone-3G-MBA-Nab-Four-IF-Design-</a>	APPSIM00153114 - APPSIM00153115		802		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
	Gold-Awards-105984.shtml					
DX-1543	00/00/1993-Varian, Hal. R. "Intermediate Microeconomics: A Modern Approach," (3rd Ed.). New York: W	APPSIM00155647 - APPSIM00155654		802		
DX-1549	00/00/0000 - Customer Features List	APPSIM00108035 - APPSIM00108367				
DX-1554	00/00/0000 - App Store Presentation	APPSIM00109692 - APPSIM00109727		N.O.		
DX-1568	00/00/2010-Apple Market Research & Analysis FY10-Q2 -- Apple Market Research & Analysis	APPSIM00116589 - APPSIM0011740		N.O.		
DX-1572	00/00/0000 - Chart of App Billings	APPSIM00133661		N.O.		
DX-1574	02/00/2011-Apple Market Research & Analysis FY11-Q1 Report-- iPad Tracking Study	APPSIM00137701 - APPSIM00137878		N.O.		
DX-1576	00/00/2011-Apple Market Research & Analysis FY11-Q1-- iPhone Buyer Survey	APPSIM00138076 - APPSIM00138157		N.O.		
DX-1592	Cost of APNS (Confidential-- AEO)	APPSIM00141792		N.O.		



**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
DX-1593	Estimated Cost for APNS	APPSIM00141793		N.O.		
DX-1594	iAd Revenue	APPSIM00141795		N.O.		
DX-1621	Revenue/Downloads for Push Enabled Apps	APPSIM00143906		N.O.		
DX-1622	05/00/2010-"US iPhone and iPod touch Apps Study," Apple	APPSIM00143907 - APPSIM00144005		N.O.		
DX-1624	"Date of First Push for All Apps"	APPSIM00144420		N.O.		
DX-1625	Game Center Invite Data (usage)	APPSIM00145845		N.O.		
DX-1672	00/00/2011 "Global Mobile Awards: Announcing the 2011 Winners," GSMA	APPSIM00141904 - APPSIM00141911				
DX-1685	Seenu Srinivasan Expert Report Exhibit 3 (ASEMAP General Instructions) ( <i>Impeachment only</i> )	N/A		N.O.		
DX-	Seenu Srinivasan Expert Report Exhibit 4 (1405-Rembrandt -	N/A		N.O.		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
1686	Quantitative Screener & Questionnaire dated 09/15/2011) ( <i>Impeachment only</i> )					
DX-1687	Seenu Srinivasan Expert Report Exhibit 5 (1405-Rembrandt [Additional iPhone users] - Quantitative Screener & Questionnaire dated 9/16/2011 ) ( <i>Impeachment only</i> )	N/A		N.O.		
DX-1688	Seenu Srinivasan Expert Report Exhibit 6 (iPhone 3GS Battery Data - impact to standby time & BlackBerry Torch - impact to standby time) ( <i>Impeachment only</i> )	N/A		N.O.		
DX-1689	Seenu Srinivasan Expert Report Exhibit 7 (Table 1: Summary of Demographic Information) ( <i>Impeachment only</i> )	N/A		N.O.		
DX-2190	Newton MessagePad 100 (Item number: 140105576626)	N/A		901		
DX-2191	Newton MessagePad 110 (Item number: 160105673146)	N/A		901		
DX-	Newton MessagePad 120 (Item number: 200098022850)	N/A		901		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
2193						
DX-2198	Socket Pagecard Wireless Messaging Mobile (Item number: 300095875150)	N/A		901		
DX-2219	SkyTel Pager-BEAC 423 B54	N/A		901		
DX-2226	Motorola NewsCard Pager 2714-1503-27507 (NEW) (Item number: 200171378986)	N/A		901		
DX-2253	Newton External Fax Modem	N/A		901		
DX-2261	Sony Magic Link (Item number: 330029849863)	N/A		901		
DX-2274	Demonstrative Exhibits of Patrick Gates	N/A		Reserving objections		
DX-2280	Demonstrative Exhibits of Dr. Stephen Wicker	N/A		Reserving objections		
DX-2282	Demonstrative Exhibits of Dr. Ray Perryman	N/A		Reserving objections		
DX-	Demonstrative Exhibits of Dr.	N/A		Reserving		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
2287	Steven Shugan			objections		
DX-2296	iPhone 4	N/A		N.O.		
DX-2297	iPad 2	N/A		N.O.		
DX-2298	iPod Touch (4th Generation)	N/A		N.O.		
DX-2309	IEEE Std 802.11-1997: Part 11: Wireless LAN Medium Access Control (MAC) and Physical Layer (PHY) specifications	APPSIM00161045- APPSIM00161510		N.O.		
DX-2310	IEEE Std 802.11-2007: Part 11: Wireless LAN Medium Access Control (MAC) and Physical Layer (PHY) Specifications	APPSIM00161511- APPSIM00162743		N.O.		
DX-2311	ANSI T1.413-1998 American National Standard for Telecommunications - Network and Customer Installation Interfaces - Asymmetric Digital Subscriber Line (ADSL) Metallic Interface	APPSIM00162744- APPSIM00163007		N.O.		
DX-	3GPP2C.S0002-E Physical	APPSIM00163272-		N.O.		

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
2312	Layer Standard for cdma2000 Spread Spectrum Systems, Revision E	APPSIM00163835				
DX-2319	Data Over Cable Interface Specifications, Radio Frequency Interface Specification, SP-RFII01-970326 (1997)	APPSIM00164392- APPSIM00164580		N.O.		
DX-2320	ETSI EN 301 349 V6.4.1 (199-12)	APPSIM00164581- APPSIM00164801		N.O.		
DX-2325	3GPP2C.S0004-Signalling Link Access Control (LAC), Standard for cdma2000 Spread Spectrum Systems, Revision E v1.0	APPSIM00164827- APPSIM00165094		N.O.		
DX-2326	ETSI TS 121 101 V6.0.0 (2004-12)	APPSIM00165095- APPSIM00165124		N.O.		
DX-2328	Grossman, Lev, TIME Magazine article	APPSIM00165134- APPSIM00165139		N.O.		
DX-2329	TIME Magazine article	APPSIM00165140- APPSIM00165140		N.O.		
DX-2330	3GPP TR 23.922 V.1.0.0 (1999-10)	APPSIM00165141- APPSIM00165201		N.O.		
DX-	01/29/2008 Redner, Jordan	APPSIM00083083-		N.O.		

APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST						
EX #	DESCRIPTION	BATES RANGE	Off	Obj	Adm	WITNESS TESTIFYING
2331	"Apple Push Service Reporting and Alerting Requirements DRAFT"	APPSIM00083088				
DX-3234	05/01/1995 "SkyTel and Compuserve Team to Provide Wireless Messaging Services in Countries Worldwide"	APPSIM00165364- APPSIM00165365		N.O.		
DX-3237	Photographs of Apple Newton MessagePad	APPSIM00165410- APPSIM00165433		N.O.		
DX-3242	Photographs of Sony MagicLink	APPSIM00165509- APPSIM00165525		N.O.		
DX-3243	U.S. 8,064,896 patent dated June 5, 2009	APPSIM00465526- APPSIM00165536		N.O. <sup>4</sup>		
DX-3244	<i>Les Nouvelles</i> (March 2008) (Impeachment Only)	APPSIM00165595- APPSIM00165702				
DX-3245	Mills, Robert, "Regression Analysis Applications in Litigation" (From Practising Law Institute Pocket	APPSIM00165703- APPSIM00165725				

<sup>4</sup> SimpleAir is reserving the right to object to testimony about this exhibit.

APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST						
EX #	DESCRIPTION	BATES RANGE	Off	Obj	Adm	WITNESS TESTIFYING
	MBA: Finance for Lawyers, Summer 2011) ( <i>Impeachment Only</i> )					
DX- 3246	Source code excerpt (project/courier/courier.c) <sup>5</sup>	APPSIM-SCPO-00000146				
DX- 3247	Expert report of Robert Mills dated 10/07/2011, including exhibits thereto ( <i>Impeachment only</i> )	N/A				
DX- 3248	Expert report of Seenu Srinivasan dated 10/07/2011, including exhibits thereto ( <i>Impeachment only</i> )	N/A				
DX- 3249	Expert report of James Knox dated 10/10/2011, including exhibits thereto ( <i>Impeachment only</i> )	N/A				
DX- 3250	Supplemental expert report of James Knox dated 10/19/2011, including exhibits thereto ( <i>Impeachment only</i> )	N/A				
DX-	Supplemental expert report of Robert Mills dated 10/26/2011,	N/A				

<sup>5</sup> DX-3246 is a subsection of PX-179, which the Court had previously ordered sealed. *See* Dkt. No. 562.

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
3251	including exhibits thereto ( <i>Impeachment only</i> )					
DX-3252	Rebuttal expert report of James Knox dated 12/23/2011, including exhibits thereto ( <i>Impeachment only</i> )	N/A				
DX-3253	Supplemental expert report of Seenu Srinivasan dated 01/31/2012, including exhibits thereto ( <i>Impeachment only</i> )	N/A				
DX-3254	Supplemental expert report of Robert Mills dated 02/03/2012, including exhibits thereto ( <i>Impeachment only</i> )	N/A				
DX-3255	Supplemental expert report of James Knox dated 02/09/2012, including exhibits thereto ( <i>Impeachment only</i> )	N/A				
DX-3256	Supplemental expert report of Robert Mills dated 02/29/2012, including exhibits thereto ( <i>Impeachment only</i> )	N/A				
DX-3257	Supplemental expert report of Seenu Srinivasan dated 02/29/2012, including exhibits thereto ( <i>Impeachment only</i> )	N/A				



**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
DX-3258	12/25/2009 - Exhibit A to Melissa Keyes Decl. In Support of Defendants Joint Motion to Transfer Venue "SimpleAir Corporation Data, California Business Portal" (Docket No. 98-2) ( <i>Impeachment only</i> )	N/A				
DX-3259	08/17/2009 - Exhibit C to Melissa Keyes Decl. In Support of Defendants Joint Motion to Transfer Venue "Certificate of Formation For-Profit Corporation - SimpleAir, Inc." (Docket No. 98-4) ( <i>Impeachment only</i> )	N/A				
DX-3260	09/15/2009 - Exhibit D to Melissa Keyes Decl. In Support of Defendants Joint Motion to Transfer Venue "Certificate of Merger of SimpleAir, Inc. and SimpleAir Holdings, Inc." (Docket No. 98-5) ( <i>Impeachment only</i> )	N/A				
DX-3261	12/27/2001 Opposition of Versus International Group, Ltd. to Motion of Chapter 7 Trustee to Approve Settlement - in re	APPSIM00141452 - APPSIM00141460				

### APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST

EX #	DESCRIPTION	BATES RANGE	Off	Obj	Adm	WITNESS TESTIFYING
	Air Media Corp. ( <i>Impeachment only</i> )					
DX-3262	SimpleAir's <i>Daubert</i> motion to exclude certain opinions of Dr. Stephen Wicker (Docket No. 348) ( <i>Impeachment only</i> )	N/A				
DX-3263	Revised Joint Pretrial Order dated 03/27/2012 (Docket No. 469), including exhibits thereto. ( <i>Impeachment only</i> )	N/A				
DX-3264	Deposition transcript of James Knox, Ph.D. dated 05/12/2011 ( <i>Impeachment only</i> )	N/A				
DX-3265	Deposition transcript of James Knox, Ph.D. dated 01/19/2012 ( <i>Impeachment only</i> )	N/A				
DX-3266	Deposition transcript of James Knox, Ph.D. dated 01/20/2012 ( <i>Impeachment only</i> )	N/A				
DX-3267	Deposition minuscrit of James Knox, Ph.D. dated 02/02/2012 ( <i>Impeachment only</i> )	N/A				
DX-3268	Deposition minuscrit of James Knox, Ph.D. dated 02/03/2012 ( <i>Impeachment only</i> )	N/A				
DX-	Deposition of John Payne dated	N/A				

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
3269	08/17/2011 ( <i>Impeachment only</i> )					
DX-3270	Deposition of John Payne dated 08/18/2011 ( <i>Impeachment only</i> )	N/A				
DX-3271	Deposition of Tim von Kaenel dated 08/19/2011 ( <i>Impeachment only</i> )	N/A				
DX-3272	Deposition of Seth Weisberg dated 08/24/2011 ( <i>Impeachment only</i> )	N/A				
DX-3275	Deposition of V. Seenu Srinivasan dated 12/16/2011 ( <i>Impeachment only</i> )	N/A				
DX-3276	Deposition of Robert Mills dated 01/05/2012 ( <i>Impeachment only</i> )	N/A				
DX-3277	Deposition of Robert Mills dated 01/06/2012 ( <i>Impeachment only</i> )	N/A				
DX-3278	Complaint for Patent Infringement by SimpleAir, Inc. dated 09/23/2009. ( <i>Impeachment only</i> )	N/A				
DX-3279	Exhibits to 10/07/2011 Expert Report of V. Srinivasan	N/A				

**APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST**

<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
DX-3280	Backup data to 10/07/2011 Expert Report of V. Srinivasan	N/A				
DX-3281	Exhibits to 02/29/2012 Expert Report of V. Srinivasan	N/A				
DX-3282	Backup data to 02/29/2012 Expert Report of V. Srinivasan	N/A				
DX-3283	Declaration of James Knox in Response to Defendant Apple's Motion for Summary Judgment of Non-infringement based on No Joint Infringement (03/02/2012) ( <i>Impeachment only</i> )	N/A				
DX-3284	All App Sales and In App Purchases	APPIM00165726				
DX-3285	APNS Apps, Sales, In App Purchases	APPIM00165727				
DX-3286	APNS Connections	APPIM00165728				
DX-	APNS Equipment Cost	APPIM00165729				

<b>APPLE INC.'S EIGHTH AMENDED EXHIBIT LIST</b>						
<b>EX #</b>	<b>DESCRIPTION</b>	<b>BATES RANGE</b>	<b>Off</b>	<b>Obj</b>	<b>Adm</b>	<b>WITNESS TESTIFYING</b>
3287						
DX- 3288	iAd Revenue	APPIM00165731				
DX- 3289	Data First Push	APPSIM00165735				

Dated: April 22, 2012

Respectfully submitted,

/s/ Adam R. Alper

Adam R. Alper  
Ryan J. Casamiquela  
KIRKLAND & ELLIS LLP  
555 California Street, Floor 24  
San Francisco, California 94104  
Telephone: (415) 439-1400  
Facsimile: (415) 439-1500  
adam.alper@kirkland.com  
ryan.casamiquela@kirkland.com

Gregory S. Arovas  
KIRKLAND & ELLIS LLP  
Citigroup Center 153 East 53rd Street  
New York, New York 10022  
Telephone: (212) 446-4800  
Facsimile: (212) 446-4900  
gregory.arovas@kirkland.com

Michael W. De Vries  
KIRKLAND & ELLIS LLP  
333 South Hope Street  
Los Angeles, California 90071  
Telephone: (213) 680-8400  
Facsimile: (213) 680-8500  
michael.devries@kirkland.com

Eric M. Albritton  
Texas State Bar No. 00790215  
ALBRITTON LAW FIRM  
P.O. Box 2649  
Longview, Texas 75606  
Telephone: (903) 757-8449  
Facsimile: (903) 758-7397  
ema@emafirm.com

**ATTORNEYS FOR DEFENDANT  
APPLE INC.**

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was served by email to the recipients below on this 22th day of April 2012.

John Jeffrey Eichmann  
DOVEL & LUNER LLP  
201 Santa Monica Blvd  
Suite 600  
Santa Monica, CA 90401  
Telephone: 310-656-7066  
Facsimile: 310-657-7069  
Email: jeff@dovellaw.com

/s/ Amy R. Lemyre  
Amy R. Lemyre